

By: Pickett

H.B. No. 199

A BILL TO BE ENTITLED

AN ACT

relating to the authority of an electric utility to impose a rate or charge on an owner of solar or wind electric generation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 36, Utilities Code, is amended by adding Section 36.066 to read as follows:

Sec. 36.066. LIMITATIONS ON RATES OR CHARGES IMPOSED ON SOLAR OR WIND ELECTRIC GENERATION OWNERS. (a) In this section:

(1) "Distributed solar or wind renewable generation" means electric generation that is installed on a retail electric customer's side of the meter and uses an energy source derived directly:

(A) from the sun; or

(B) from wind.

(2) "Distributed solar or wind renewable generation owner" means:

(A) an owner of distributed solar or wind renewable generation;

(B) a retail electric customer on whose side of the meter distributed solar or wind renewable generation is installed and operated, regardless of whether the customer takes ownership of the distributed solar or wind renewable generation; or

(C) a person who by contract is assigned ownership rights to energy produced from distributed solar or wind

1 renewable generation located at the premises of the customer on the
2 customer's side of the meter.

3 (b) An electric utility may not impose on residential
4 customers who are distributed solar or wind renewable generation
5 owners:

6 (1) a rate or charge that applies only to those
7 customers; or

8 (2) a rate or charge that is significantly higher than
9 a similar charge imposed on residential customers who are not
10 distributed solar or wind renewable generation owners.

11 SECTION 2. The change in law made by this Act applies only
12 to a rate or charge finally approved on or after the effective date
13 of this Act. A rate or charge finally approved before that date is
14 governed by the law in effect immediately before the effective date
15 of this Act, and that law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect December 1, 2017.